

### **Remarks**

The above Amendments and these Remarks are in reply to the Office Action mailed August 23, 2005.

#### **I. Summary of Examiner's Rejections**

Prior to the Office Action mailed August 23, 2005, Claims 57, 58, 63, 64, 72, 73, 81, 82 and 90-95 were pending in the Application. In the Office Action, Claims 57 and 58 were provisionally rejected under 35 U.S.C. 101 on the basis of double patenting of the "same invention" type as claiming the same invention as that of co-pending Application No. 09/767,610. Claims 90-95 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over co-pending Application No. 09/767,610 in view of Luckenbaugh (U.S. Patent No. 5,991,887) and Balassanian (U.S. Patent No. 6,324,685). Claims 91, 93 and 95 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Claims 57, 63, 72, 81, 90, 92 and 94 were rejected under 35 U.S.C. 102(e) as being anticipated by Luckenbaugh. Claims 58, 64, 73 and 82 were rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh. Claims 91, 93 and 95 were rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh and further in view of Balassanian.

#### **II. Summary of Applicant's Amendment**

The present Response amends Claims 57, 63, 72, 81, 91, 93 and 95, leaving for the Examiner's present consideration Claims 57, 58, 63, 64, 72, 73, 81, 82 and 90-95. Reconsideration of the Application, as amended, is respectfully requested. Applicant respectfully reserves the right to prosecute any originally presented or canceled claims in a continuing or future application.

#### **III. Double Patenting Rejections**

In the Office Action mailed August 23, 2005, Claims 57-58 were provisionally rejected under

35 U.S.C. 101 as claiming the same invention as that of Claim 8 of co-pending Application No. 09/767,610. Claims 90-95 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claim 8 of co-pending Application No. 09/767,610 in view of Luckenbaugh (U.S. Patent No.5,991,887) and Balassanian (U.S. Patent No. 6,324,685).

#### **Rejection under 35 U.S.C. 101**

Claims 57-58 have hereby been amended to more explicitly define the embodiments therein. As amended, these claims are not coextensive in scope with Claim 8 of Application No. 09/767/610. Therefore, Applicant respectfully submits that the rejection under 35 U.S.C. 101 is now moot and reconsideration of Claims 57-58 is respectfully requested.

#### **Rejection under Obviousness Type Double Patenting**

Claims 90-95 are not addressed separately, however Claim 57 has been amended, from which Claims 90-95 ultimately depend. Applicant respectfully submits that the rejection under obviousness type double patenting is rendered moot by the amendments provided and reconsideration thereof is respectfully requested.

#### **IV. Claim Rejections under 35 U.S.C. §112**

In the Office Action mailed August 23, 2005, Claims 91, 93 and 95 were rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. In particular, Claims 91, 93 and 95, were rejected as reciting the limitation "the user" with insufficient antecedent basis. Accordingly, Applicant has amended Claims 91, 93 and 95, as shown above, to correct any lack of antecedent basis. Applicant respectfully submits that the claims as amended comply with the requirements of 35 U.S.C. 112, and reconsideration thereof is respectfully requested.

**V. Claim Rejections under 35 U.S.C. §102**

In the Office Action mailed August 23, 2005, Claims 57, 63, 72, 81, 90, 92 and 94 were rejected under 35 U.S.C. 102(e) as being anticipated by Luckenbaugh (U.S. Patent No. 5,991,877).

**Claim 57**

Applicant has amended independent claim 57 to further define the embodiment therein. As amended, the claim now recites:

*57. A system for maintaining security in a distributed computing environment, comprising:  
a policy manager located on a server for managing a security policy and for distributing the security policy to a client wherein the security policy includes a plurality of rules customizable to the client; and  
an application guard located at the client for managing access to securable components at a client level as specified by the security policy, the securable components including at least one application.*

Claim 57, as amended, recites a policy manager located on a server for managing and distributing a security policy to a client wherein the security policy includes a plurality of rules customizable to the client. Furthermore, Claim 57 also recites an application guard located at the client for managing access to securable components including at least one application. The management of security is specified by the security policy, and is enforced at the client level.

The system defined in Claim 57 is advantageous for several reasons. For example, the ability to distribute the security policy to each client makes it possible to centrally manage and administer a consistent and robust security policy for all securable components. Each client on the network may be provided with its own customizable security policy that is different from other clients, so that the system provides greater control over the security process. Furthermore, the enforcement of the security policy is done at the client level, thereby lessening network traffic because calls do not need to be made to the server at each request for access to information. A more modular form of security is possible because each application has the ability to evaluate

access privileges upon every request for access to a particular information.

Luckenbaugh discloses an object-oriented trusted application framework in which access control systems appear to be implemented by creating labels for portions of a resource and credentials corresponding to users. These label and credential objects are later compared or correlated for granting and denying access to portions of a resource (Abstract).

However, Luckenbaugh fails to disclose the *distribution* of a customized security policy to each client. For example, as described in Luckenbaugh, the policy manager is responsible for creating all objects such as the label object and the credential object. The purpose of the policy manager is to hide the details of the policy specific objects from the application program (Column 11, lines 37-46). However, Claim 57 defines a policy manager which is responsible for distributing a security policy to clients on the network. This distributed security policy can subsequently be used in managing access to various securable components.

Furthermore, Luckenbaugh fails to disclose enforcement of the security policy at the client level. On the contrary, Luckenbaugh appears to teach away from this feature. According to Luckenbaugh, security policies are preferably enforced by the server because a client processor is not necessarily trusted (Luckenbaugh col. 6, l. 26-32). Claim 57, on the other hand, recites managing access to securable components *at the client level*.

In view of the above comments, Applicant respectfully submits that Claim 57, as amended, is neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

### **Claims 63, 72 and 81**

Claims 63, 72 and 81 have been amended similarly to Claim 57 to more clearly define the embodiments therein. Applicant respectfully submits that Claims 63, 72 and 81 as amended, are likewise neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

**Claims 58, 64, 73, 82 and 90-95**

Claims 58, 64, 73, 82 and 90-95 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from allowable independent claims, and further in view of the comments provided above. Applicant respectfully submits that Claims 58, 64, 73, 82 and 90-95 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

**VI. Claim Rejections under 35 U.S.C. §103**

In the Office Action mailed August 23, 2005, Claims 58, 64, 73 and 82 were rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh (U.S. Patent No. 5,991,877). Claims 91, 93 and 95 were rejected under 35 U.S.C. 103(a) as being unpatentable over Luckenbaugh in view of Balassanian (U.S. Patent No. 6,324,685).

Claims 58, 64, 73, 82 91, 93 and 95 are not addressed separately, but it is respectfully submitted that these claims are allowable as depending from an allowable independent claim, and further in view of the comments provided above. Applicant respectfully submits that Claims 58, 64, 73, 82 91, 93 and 95 are similarly neither anticipated by, nor obvious in view of the cited references, and reconsideration thereof is respectfully requested.

It is also submitted that these claims also add their own limitations which render them patentable in their own right. Applicant respectfully reserves the right to argue these limitations should it become necessary in the future.

**VII. Conclusion**

In view of the above amendments and remarks, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and reconsideration


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thereof is respectfully requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

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